



Town of Arlington, Massachusetts
730 Massachusetts Ave., Arlington, MA 02476
Phone: 781-316-3000
webmaster@town.arlington.ma.us

Board of Health Minutes 10-08-2003

BOARD OF HEALTH MEETING MINUTES

Wednesday October 8, 2003 2:00pm

**2nd Floor Conference Room
Town Hall Annex**

Board Members in Attendance: Dr. Carole Allen (Chair), Mr. Gregory Leonardos, Mr. Mark Fingerle

Staff in Attendance: Christine Connolly, (Director of Public Health), Denise Hunt Boucher (Health Compliance Officer)

I. Minutes from September 10, 2003 will be tabled and reviewed for the next Board Meeting.

II. Ms. Connolly presented information regarding the Combined Sewer Overflow issue that continues along the Alewife Brook. Ms. Connolly spoke of information presented at an informational meeting held on September 23, 2003 where representatives from a number of groups spoke of data, information and possible solutions along the Brook. Ms. Connolly stated that the CSOs owned by the City of Cambridge and MWRA continue to overflow during heavy rainfall events and it had been mentioned that they may activate up to 60 times per year. Also, mentioned was that Cambridge has begun a notification process where a sensor has been placed in one CSO that has been believed to be the most active of the CSOs owned by the City of Cambridge. When the CSO activates, the Cambridge DPW is notified and sends notification to surrounding communities regarding the overflow. Ms. Connolly stated that the Department of Environmental Protection has granted an extension to the variance requested by Cambridge and MWRA to continue to allow the CSOs to be active. Plans are in place however to perform work on the CSOs to alleviate roughly 84% of the overflows and this project will be completed in 2012. The Board voted to have signs posted along the Brook warning of risk of coming in contact with the water during rain events, as well as sending notice to students at the Thompson and Hardy Schools. The Board also voted unanimously to send a letter to the Department of Environmental Protection during the public comment period regarding the *Final Variance Report for CSO abatement for Alewife Brook and the Upper Mystic River*.

III. Ms. Connolly presented information regarding the first positive human case of West Nile Virus within the Town of Arlington. The case was a six year old child living within one mile of the positive mosquito found in Medford on September 11, 2003. The child first came down with symptoms on September 11, 2003. Ms. Connolly stated that she has been in touch with Dave Henley from Eastern Middlesex Mosquito Control Program regarding this and he has stated that as it is now the end of the warm season, no action should be taken to prevent mosquito growth, but he will continue to monitor wetland areas in Medford and Arlington. The Board asked that in the future, all information to be posted in the Advocate such as this case be emailed to them prior to public notification.

IV. Ms. Boucher presented the most recent updated tobacco regulations to be discussed. Ms. Boucher presented proposed changes to the enforcement policy for first second and third violation, when a tobacco retailer sells tobacco products to a minor. The following was presented by Ms. Boucher for Board review:

- For the first violation the tobacco sales permit shall be suspended for seven (7) consecutive business days
- For the second violation that occurs within twelve (12) months of the first violation, the tobacco sales permit shall be suspended for fourteen (14) consecutive business days

- For the third violation two options were presented
 - a. Option 1. For a third or subsequent violation within 12 months of the second violation, the tobacco sales permit shall be suspended for thirty (30) consecutive business days.
 - b. Option 2. For a third or subsequent within twelve (12) months of the second violation, the tobacco sales permit shall be revoked for the remainder of the calendar year.

The Board unanimously voted to include Option 1, for the third violation to be included in the Draft Regulations. Dr. Allen asked that the words a minimum of be placed before thirty (30) consecutive business days making the third violation read:

- For a third or subsequent violation within twelve (12) months of the second violation, the tobacco sales permit shall be suspended for a minimum of thirty (30) consecutive business days.

Dr. Allen also stated that the option to not renew a permit if the Board so decides should also be included in the draft regulation.

Ms. Boucher stated that the regulations will further be reviewed by the Town Counsel and the State Attorneys prior to the final hearing to adopt the amended regulations.

Ms. Boucher also stated that she will send notification to all tobacco retailers as well as to the Chamber of Commerce, of the proposed changes as well as the hearing date and time.

The next meeting will be a Public Hearing to Amend **Town of Arlington, Board of Health Rules and Regulations Restricting Smoking and Distribution of Tobacco and Tobacco Products Within the Town of Arlington** will be held at the Whittemore Robbins House at 7:00pm on Monday November 10, 2003

Source: Christine Connolly, Health Director